

**REMARKS**

Reconsideration and allowance of this application are respectfully requested. Currently, claims 1-10 are pending in this application.

Attached hereto is a marked-up version of the changes made to the specification by the current Amendment. The attached is captioned “**Version With Markings to Show Changes Made.**”

**Priority:**

The Examiner is thanked for acknowledging Applicant’s claim for priority. Applicant notes that a certified copy of foreign priority application (EPO) 99308863.2 was filed on December 31, 2002. Applicant respectfully requests that the Examiner acknowledge receipt of the certified copy of the foreign priority application in the next Office Action.

**Drawings:**

Fig. 1 was objected to as not being designated by the legend “Prior Art.” Applicant notes, however, that Fig. 1 is a drawing which relates to the present claimed invention. Applicant has therefore not provided the legend “Prior Art” on Fig. 1.

**Objections to the Disclosure**

The abstract of the disclosure and various portions of the disclosure itself were objected to because of various informalities. Applicant has corrected these informalities in light of the Examiner’s helpful comments. Applicant therefore respectfully requests that the objections to the abstract and specification be withdrawn. By this Amendment, Applicant has also included appropriate section headings into the specification.

**Rejection Under 35 U.S.C. §102:**

Claims 1-10 were rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Ernst (U.S. '133). Applicant respectfully traverses this rejection.

For a reference to anticipate a claim, each element must be found, either expressly or under principles of inherency, in the reference. Applicant respectfully submits that Ernst fails to disclose or even suggest each element of the claimed invention. For example, Applicant submits that Ernst fails to disclose or even suggest searching a generic process plan for a predetermined pattern contained in a non-generic process element and inserting content from the non-generic process element into the generic process plan on detection of the predetermined pattern so as to generate a process plan, as required by claims 1-10.

The Office Action alleges that col. 3, lines 28-33 and Fig. 1, items 101-105 of Ernst discloses this claimed feature. Applicant respectfully disagrees.

Col. 3, lines 28-33 states the following:

“Identification of a business process instance with propitious result data is carried out with a view of selecting favorable level settings of the business process instance. Level settings indicate the various implementations of the parameters of a business process instance and are described by a set of attributes.”

Applicant submits that this portion (and all other portions) of Ernst fails to disclose the above claimed element. In particular, Applicant fails to see how this portion of Ernst teaches conducting a **search of a generic process plan**, let alone **searching** the generic process plan for a predetermined pattern contained in a non-generic process element and inserting content from the non-generic process element upon detection of the predetermined pattern. The above

portion of Ernst merely indicates that a business process may be performed with selected favorable level settings. If the next Office Action maintains the above rejection over Ernst, Applicant respectfully requests that the next Office Action clarify how the above claimed feature is disclosed by Ernst.

Ernst essentially discloses selecting level settings for each step in a process such that the performance of the process as a whole is optimized. Specifically, Fig. 2 of Ernst discloses three process steps A1, A2 and A3. Each of these process steps has certain level settings which may be selected for the performance of that step. For example, the level settings in these steps may be whether to perform the process by an expert, or by a novice, the novice taking longer than the expert to perform the task. The available resources performed in each step are illustrated in Fig. 3 and described at col. 7, lines 57-65. A business target is then selected for the process of Fig. 2 (see col. 7, line 67 to col. 8, line 6). For each step in the process, resources from the available resource set are selected to perform each step. Various sets representing different combinations of resources can be chosen to provide different evaluations of each set (see Fig. 4 and col. 8, lines 7-30).

Using the sets of resources selected, each one of these sets is used for a certain number of business process instances, and results obtained (see col. 8, lines 34-38). Following this, a third level setting is formed from the two given level settings for example, using genetic algorithms (see col. 8, lines 59-61) and a third set of parameters are then used within the process.

Process steps A1, A2 and A3 remain identical. All that is changed are the actual level settings for each process step from the resources available to

perform the step (e.g., expert or novice). Having performed the process using the parameters of step A3, process optimization can then be performed (see col. 9, lines 22-23). The process may be further improved by further iterations to provide a continual and dynamic optimization of process behavior (see col. 9, lines 42-43).

Accordingly, Ernst is concerned with optimizing the parameters of each step within a process. Ernst is not concerned at all with altering a process by the insertion of content therein in order to generate a new process plan.

The present invention relates to storing one generic process plan, as well as at least one non-generic process element which contains a predetermined pattern. The generic process plan is searched for the predetermined pattern such that content from the non-generic process element can be inserted into the generic process plan when the predetermined pattern is detected for generating a process plan. The newly generated process plan may be particularly suitable for a given situation on the basis of a generic process plan which has been devised on a more generic level to deal with situations of the same type as the particular situation. This distinction between providing a generic process plan and non-generic process elements which may be used to customize the generic process plan to generate a customized (newly generated) process plan is neither disclosed nor suggested anywhere in Ernst. In particular, the optimization of process parameters in a fixed process as disclosed by Ernst fails to disclose the customization of a generic process plan by insertion of non-generic process elements to effectively generate a new process plan as required by the claimed invention.

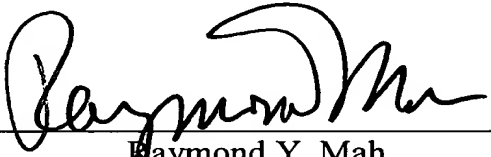
Accordingly, Applicant respectfully submits that Ernst fails to disclose each element required by claims 1-10 and therefore respectfully requests that the rejection of these claims under 35 U.S.C. §102 be withdrawn.

**Conclusion:**

Applicant believes that this entire application is in condition for allowance and respectfully requests a notice to this effect. If the Examiner has any questions or believes that an interview would further prosecution of this application, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE  
IN THE SPECIFICATION:**

Paragraph beginning at page 1, line 8 has been amended as follows:

It is known to apply automation to processes. For instance, the Integrated Supply Chain Management project (ISCM) by the University of Toronto focuses on the management of business processes as they are executed. For more information on this project, see [[http://](http://www.eil.utoronto.ca/iscm-descr.html)] website [www.eil.utoronto.ca/iscm-descr.html](http://www.eil.utoronto.ca/iscm-descr.html).

Paragraph beginning at page 1, line 14 has been amended as follows:

References below to “ASOPE” are references to embodiments of the present invention. “ASOPE” is an acronym for “Aspect [Orientated] Oriented Process Engineering” and is the name used for the principle underlying embodiments of the present invention.

Paragraph beginning at page 2, line 21 has been amended as follows:

ASOPE decomposes processes into two elements, Generic Process Patterns (GPPs) which are the fundamental sequences of steps which are used to achieve a goal, and Process Aspects which contain context specific process steps together with instructions for their composition with a particular GPP. IN this way it is possible to use ASOPE to synthesise wholly new processes that achieve a goal but, with respect to one another, utilise extra or alternative process steps for example to achieve unrelated sub-goals or prevent the system from reaching a particular state. An example of a GPP would be a plan to

[instal] install customer premises equipment. Process Aspect examples would be access checks for premises related to an individual, or checking that the site could support physical diversity for a corporate working in the finance industry. GPPs are decontextualised, generalised plans and Process Aspects provide context, resource and participant dependent exceptions and extensions.